

[Doc. No. 12]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

ANDREW DUBLER,

Plaintiff,

v.

HANGSTERFER'S LABORATORIES, et
al.,

Defendants.

Civil No. 09-5144 (RBK/JS)

O R D E R

This matter is before the Court on defendants' "Motion for a Protective Order Barring Disclosure of Certain Documents, and for Leave to Amend Defendants' Answer to File a Counterclaim" [Doc. No. 12]; and the Court having received plaintiff's opposition [Doc. No. 18] and defendants' reply [Doc. No. 21]; and the Court having held oral argument on September 20, 2010; and for the reasons expressed on the record on September 20, 2010; and good cause existing for the entry of this Order,

IT IS HEREBY ORDERED this 21st day of September, 2010, that defendants' motion is DENIED; and

IT IS FURTHER ORDERED that defendants' request for leave to amend their answer to assert a counterclaim is DENIED without prejudice. The Court will address the merits of defendants' request if they file a separate motion for leave to amend and attach a copy of their proposed counterclaim; and

IT IS FURTHER ORDERED that defendants' request for the

immediate return of the documents identified in their motion is DENIED; and

IT IS FURTHER ORDERED documents Bates stamped 6-12, 15 and 37-38 shall be deemed produced by defendants to plaintiff in discovery as the Court finds the documents relevant to the claims and defenses in the case; and

IT IS FURTHER ORDERED that defendants' request for the return of documents Bates stamped 37-38 is DENIED without prejudice. The Court will rule on whether these documents should be returned to defendants after the Court determines whether the documents are privileged. In the meantime, plaintiff may not use the documents for any purpose.

s/Joel Schneider
JOEL SCHNEIDER
United States Magistrate Judge